

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
WEDNESDAY, JULY 7, 2004
9:00 A.M.**

The City Council met in regular session at the above place and date. Deputy Mayor Paul J. Escobar present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Daniel S. Power, and Vivian Rojas. Absent: Mayor Joe Wardy and Mayor Pro Tempore Anthony W. Cobos. Meeting was called to order at 9:06 a.m. and the invocation was given by Police and Fire Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

Deputy Mayor Pro Tempore Paul J. Escobar explained that Mayor Joe Wardy was out of town on City business and Mayor Pro Tempore Anthony W. Cobos was on vacation.

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Item 1: Discussion and action on higher water bill rates. [Anastacio Garcia]

Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to delete the discussion and action on higher water bill rates. [Anastacio Garcia]

Representative Power was not present for the vote.

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Item 2: Presentation by the Firefighters' Association and Fire Station #5 regarding the painting of Fire Station #5 and to offer recognition to those involved. [Captain John Davis]

No action was taken on the presentation by the Firefighters' Association and Fire Station #5 regarding the painting of Fire Station #5 and to offer recognition to those involved. [Captain John Davis]

Fire Captain John Davis explained that Fire Station #5 was in great need of repair and through the efforts of Representatives Cushing and Lozano, Mr. Bobby Bowling, Tropicana Homes, and others, the Fire Station had received the much needed repairs. He presented Representative Lozano and Mr. Bowling with Certificates of Appreciation from Fire Chief Roberto Rivera, the International Association of Firefighters, Local 51, President, Joe Telles and the firefighters of Fire Station #5. He stated that Assistant Fire Chief Donald Marron had initiated an "Adopt A Fire Station" program whereas the community might financially donate and/or volunteer their time in the restoration of other City fire stations.

Representative Lozano commented on the great need for community volunteerism and presented Certificates of Appreciation to Mr. Bowling and those who came forward to assist in the restoration of the fire station. He especially thanked Sherwin-Williams Paint Company for their generous donation of 30 cans of paint, valued at \$98.00 per gallon.

Ms. Yvonne Sanchez, secretary to Representative Lozano, challenged the citizens of El Paso to "Adopt A Fire Station" and thanked Representative Lozano for finding the ways and means to make the much needed repairs for the fire station.

Mr. Bowling expressed his thanks to the men and women in uniform and commented on the condition of Fire Station #5 prior to the recent improvements.

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Deputy Mayor Pro Tempore Paul Escobar recognized former Mayor Pro Tempore Presi Ortega and Mrs. Kenna Ramirez, wife of former Mayor Carlos Ramirez.

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Motion made by Representative Cook, seconded by Representative Austin, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Ms. Lisa Turner, citizen, requested that the Introduction of the Ordinance regarding lay-offs and reinstatements be postponed one week due to the lack of availability for public viewing. She explained that the item must be made available in the City Clerk's office for public viewing, regardless of the item being posted on the Internet.

Ms. Richarda Momsen, City Clerk, explained that the Ordinance is on file in the City Clerk's Office as required and her staff would retrieve a copy for Ms. Turner.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the Minutes for Legislative Review Committee of the Whole Meeting of November 13, 2002, Regular City Council Meetings of April 8, and June 29, 2004 and Special City Council Meetings of June 28, (UTEP-IPED) and June 28, (City Manager), 2004.

*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City Council Meeting of July 13, 2004 the approval of Minutes for Regular City Council Meetings of June 2, 2004 and June 8, 2004.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to excuse Mayor Joe Wardy and Mayor Pro-Tem Anthony W. Cobos from the Regular Council Meeting of July 7, 2004.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract of Sale between the CITY OF EL PASO and MARGARITA CAMACHO LOZANO for the purchase of

Parcel 5 - 1,500 square feet, more or less, being a portion of Lot 14, Block 2, of Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, according to Plat Records of El Paso County, Texas, to be used for the Edgemere Extension Project.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract of Sale between the CITY OF EL PASO and JNC DEVELOPMENT, INC. for the purchase of

Parcel 8 - 0.441 acres of land, more or less, being a portion of Lot 1, Block 2, of Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, according to Plat thereof recorded in Volume 4, Page 41, of the Plat Records of El Paso County, Texas, to be used for the Edgemere Extension Project.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and MARIA GUADALUPE MORENO & JUAN MORENO for the purchase of Lot 1 (Replat 26 & 27), Block 7, Stiles Garden, El Paso, El Paso County, Texas, also known as 7250 Dale Road, to be used as additional right-of-way related to the Hawkins Extension project.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Suspending the Rate Change proposed by Texas Gas Service Company, a Division of Oneok, Inc, for 45 days beyond the proposed effective date.

Mr. Ray Gilbert, citizen, asked why the utility was taxing its customers an additional \$300,000 to fund its economic development projects. He urged the Council Members to scrutinize the matter closely and review franchise agreements of all the utilities.

Ms. Lisa Turner, citizen, suggested that the City's Public Utility Regulation Board review the matter and questioned whether or not the matter pertained to a tax increase.

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be designated for funding as a Community Housing Development Organization (CHDO) activity under the City's Fiscal Year 2003 HOME Grant Program: P.V. Community Development Corporation Maxwell Avenue Project Acquisition, Design and Construction - \$408,682.00; and

That the Mayor, on behalf of the City, be authorized to sign a CHDO-Home Financial Terms Contract by and between the City, and P.V. Community Development Corporation, a Community Housing Development Organization (CHDO) as defined under the HOME Program Regulations, in the amount of \$408,682.00; and

That the Mayor, be authorized to sign a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power Of Sale) by and between the City, P.V. Community Development Corporation, and the selected construction contractor, upon the recommendation of the Director of the Community and Human Development, and the approval of the City Attorney's Office.

Representative Rojas asked Ms. Nathalie Prise, Interim Community and Human Development Director, for elaboration as to the City's funding of Community Housing Development Organization (CHDO).

Motion made by Representative Rojas, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand One Hundred Twenty And No/100 Dollars (Loan - \$6,120.00), against the following described real property:

Lot 14, Block 4, Lancaster Addition, Unit One (1), Section B, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Volume 35, Page 19, Plat Records of El Paso County, Texas; known and numbered as 9132 Norwich

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Four Thousand Six Hundred And No/100 Dollars (\$4,600.00, Loan-\$3,675.00 and Grant-\$925.00), against the following described real property:

Lots 12 and 13, and the West ½ of Lot 14, Block 28, Military Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; known and numbered as 2625 Mountain

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand One Hundred And No/100 Dollars (\$12,100.00, Loan-\$11,220.00 and Grant-\$880.00), against the following described real property:

Lot 5, Block 8, Tejas Addition Fourth Section, an Addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 10, Page 8, Plat Records of El Paso County, Texas; known and numbered as 1019 N. Clark

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Ten Thousand Six Hundred And No/100 Dollars (\$10,600.00, Loan-\$4,925.00 and Grant-\$5,675.00), against the following described real property:

Lot 14, Block 3, Alto Terrace Second Replat, an Addition in the City of El Paso, El Paso County, Texas; according to the map thereof on file in Volume 4, Page 44, Plat Records of El Paso County, Texas; known and numbered as 1053 Christy

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand Three Hundred Six And No/100 Dollars (\$12,306.00, Loan-\$12,000.00 and Supplemental Loan-\$306.00), against the following described real property:

Westerly 38.25 feet of Lot 20, Block 111, Campbell's Addition, an Addition to the City of El Paso, El Paso County, Texas; according to the plat thereof recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas; known and numbered as 520 S. Ochoa

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Two Hundred Fifty Three and 29/100 Dollars (\$253.29).

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to sign an Incoming Loan Agreement on behalf of the City of El Paso, for the exhibition ***"Light from the Sky: A Tom Lea Retrospective, 1907-1997,"*** March 1, 2006 - April 17, 2006, organized by Exhibits USA, Kansas City, Missouri. Participation fee is \$5,300.00 plus shipping fee, which is to be determined.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to sign an outgoing loan agreement, on behalf of the City of El Paso, for the loan of the following works of art to The Albuquerque Museum for an exhibition of Spanish Masters entitled "El Alma de España" from April 4 to August 12, 2005: *Jacob and Rachel at the Well* by Francisco Antolínez y Sarabia and *The Immaculate Conception* by Francisco de Zurbarán.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **PARKHILL, SMITH & COOPER, INC.**, for a project known as **"Roseway Street and Drainage Improvements"**, in an amount not to exceed TWO HUNDRED FIFTY-SEVEN THOUSAND SEVEN HUNDRED THIRTY-THREE and 00/100 DOLLARS (\$257,733.00).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute an Interlocal Agreement by and between the CITY OF EL PASO and THE UNIVERSITY OF TEXAS AT EL PASO as related to the installation, use and future maintenance of high-speed data connectivity between the parties.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE TRAINEE** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7541**. The Grade shall be **GS 16**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE OFFICER** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7542**. The Grade shall be **P1 - P3**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE DETECTIVE** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7551**. The Grade shall be **P2 - P3**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE SERGEANT** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7561**. The Grade shall be **P4**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE LIEUTENANT** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7562**. The Grade shall be **P5**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE COMMANDER** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7563**. The Grade shall be **P6**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE DEPUTY CHIEF** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7566**. The Grade shall be **P7**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **POLICE ASSISTANT CHIEF** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **7567**. The Grade shall be **P8**.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan, shall be amended, as recommended by the Civil Service Commission. The class of **CERTIFIED POLICE TRAINEE** is hereby created as specified in the duties and responsibilities attached hereto. The Code will be **7540**. The Grade shall be **GS 19**.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ROBIN RANSOM**, to assist the Information Technology Department as a Geographic Information Systems Manager at a biweekly rate of \$2,460.80 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

Representative Cook questioned Mr. Tony Montoya, Director of Information Technology, regarding the feasibility of outsourcing the Information Technology ("IT") Department.

Mr. Montoya responded that the Human Resources Department was working on an RFP and should be have that RFP completed within the next three weeks to a month.

Representative Cook stated that the IT Department should be allowed to bid on the RFP as should other City Departments if their responsibilities are put out to bid.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **KEVIN COVINGTON**, to assist the Information Technology Department as a PC/LAN Specialist II at a biweekly rate of \$1,510.43 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARIA R. ROSALES**, to assist the Information Technology Department as a PC/LAN Specialist I at a biweekly rate of \$1,526.23 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **AARON FRAMPTON**, to assist the Information Technology Department as a PC/LAN Specialist II at a biweekly rate of \$1,546.62 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **WALTER E. TOWNSEND**, to assist the Information Technology Department as a Special Projects Coordinator at a biweekly rate of \$2,193.50 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **RON GRAHAM**, to assist the Information Technology Department as a Systems Administrator at a biweekly rate of \$2,245.76 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LUIS M. GARCIA**, to assist the Information Technology Department as a PC/LAN Specialist II at a biweekly rate of \$1,470.62 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ARMANDO ALMANZA**, to assist the Information Technology Department as a Telecommunications Specialist at a biweekly rate of \$1,216.87 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARCOS GUERRERO**, to assist the Information Technology Department as a Senior Telecommunications Specialist at a biweekly rate of \$1,576.66 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **EMILIO NATIVIDAD**, to assist the Information Technology Department as a Senior Telecommunications Specialist at a biweekly rate of \$1,522.17 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **CAMERINO GONZALEZ**, to assist the Information Technology Department as a Telecommunications Specialist at a biweekly rate of \$1,487.09 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ADRIANA SERRANO-LAREDO**, to assist the Information Technology Department as a Senior Telecommunications Specialist at a biweekly rate of \$1,602.43 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **TOMMY YANEZ**, to assist the Information Technology Department as a Senior Telecommunications Specialist at a biweekly rate of \$1,482.55 for 40 hours per week. The term of the contract shall be for the period of July 7, 2004 through July 6, 2006.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City's Purchasing Department is hereby authorized, upon recommendation of the City's Capital Assets Manager and the City's Development Coordinating Committee, to advertise to the public for sale property legally described as Collingsworth Survey 14, Tracks 1-A, 1-C and 1-E, and portion of 1-B and 1G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility. The Purchasing Department is authorized to obtain an independent appraisal to establish value.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.

ACOSTA SPORTS CENTER

DEPARTMENT ID: 51510099, ACCOUNT 502215

1. CONTRACTOR: Christopher Jimenez, Inline Hockey Game Referee
DATES: July 08, 2004 through August 31, 2004
RATE PER CL: \$6.00
MAXIMUM AMT: \$600.00
CONTRACT: **2003/2004-162**
2. CONTRACTOR: Jaime Rodriguez, Jr., Inline Hockey Game Referee
DATES: July 08, 2004 through August 31, 2004
RATE PER CL: \$6.00
MAXIMUM AMT: \$600.00
CONTRACT: **2003/2004-163**

FR. MARTINEZ SENIOR CENTER

DEPARTMENT ID: 51510160, ACCOUNT 502214

3. CONTRACTOR: Octavio Carrasco, Drama & Acting Instructor
DATES: July 08, 2004 through August 15, 2004
RATE PER CL: \$8.00
MAXIMUM AMT: \$1600.00
CONTRACT: **2003/2004-164**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Architectural Services between the **CITY OF EL PASO** and **WRIGHT & DALBIN ARCHITECT, INC.**, for a project known as **"Rose Garden Park"** for an amount not to exceed FORTY-EIGHT THOUSAND FOUR HUNDRED NINETY ONE AND 00/100 DOLLARS (\$48,491.00).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the ORION COMMUNICATIONS SOFTWARE AGREEMENT and SOFTWARE MAINTENANCE AGREEMENT entered into by and between the City of El Paso and Orion Communications, Inc., for the CourtNotify computer program system. The license fee shall be ONE HUNDRED AND SIXTY SIX THOUSAND AND FIVE HUNDRED AND 00/100 DOLLARS (\$166,500.00). The maintenance fee shall be SIXTEEN THOUSAND SIX HUNDRED AND FIFTY AND 00/100 DOLLARS (\$16,650.00).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign, on behalf of the City, an Appraisal Services Agreement by and between the CITY OF EL PASO and RALPH SELLERS & ASSOCIATES in an amount not to exceed \$1,500.00 to establish the value for property legally described as being 1 Vista Commercial Park 24 to 28 (124420.38 square feet), located in the City of El Paso, El Paso County, Texas.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, MIKE & ELSA HUDSON of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

667 Jeanny Marie Court, City of El Paso, El Paso County, Texas, being more particularly described as Lot 30 (13499.89 SQ FT), Block 8, River Run #2 Subdivision, Parcel #R577-999-0080-3000,

to be ONE HUNDRED NINETY FIVE AND 93/100 (\$195.93) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Third day of September, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount ONE HUNDRED NINETY FIVE AND 93/100 (\$195.93) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, CITY FEDERAL SAVING BANK of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

6404 Amposta Rear, City of El Paso, El Paso County, Texas, being more particularly described as Lot SLY PT OF LOT 30 (28.75 FT OF ELY – 119.11 FT ON SLY – 24.02 FT ON WLY – 107.84 ON NLY), Block 93, Chaparral Park #20 Subdivision, Parcel #C340-999-0930-5900,

to be SEVEN HUNDRED SIXTY FIVE DOLLARS AND 33/100 (\$765.33) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty ninth day of July, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount SEVEN HUNDRED SIXTY FIVE DOLLARS AND 33/100 (\$765.33) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, FRANCES I. PETERSON of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5725 Sanders, City of El Paso, El Paso County, Texas, being more particularly described as Lot 6 (7140 SQ FT), Block 14, Skyview Subdivision, Parcel #S502-999-0140-2100,

to be TWO HUNDRED SIXTY DOLLARS AND 88/100 (\$260.88) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twelfth day of August, 2003, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount TWO HUNDRED SIXTY DOLLARS AND 88/100 (\$260.88) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.
3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner, KENNETH G SR & JOYCE NEIMAN of the hereinafter described property that the owners' property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owners, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1804 Mike Hill Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 2, Block 144, Vista del Sol #27 Subdivision, Parcel #V893-999-1440-0300,

to be THREE HUNDRED EIGHTY EIGHT DOLLARS AND 30/100 (\$388.30) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifteenth day of February 2003, and Second day of September 2003 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount THREE HUNDRED EIGHTY EIGHT DOLLARS AND 30/100 (\$ 388.30) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete a Resolution that the Mayor be authorized to sign release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

| | <u>Lien</u> | <u>Interest</u> | <u>Total Paid</u> |
|----------------------|-------------|-----------------|-------------------|
| 8661 La Gente Street | \$159.51 | \$163.51 | \$323.02 |
| 8661 La Gente Street | \$127.74 | \$ 57.34 | \$185.08 |
| 8661 La Gente Street | \$220.83 | \$147.36 | \$368.19 |

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract of Sale between the CITY OF EL PASO and the CITY OF SUNLAND PARK, NEW MEXICO for the sale of four (4) 1992 Elgin Eagle Street Sweepers at a total sales price of TWENTY-ONE THOUSAND DOLLARS (\$21,000.00).

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 3rd day of August, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3103 Isla Verde Circle, in El Paso, Texas, which property is more particularly described as:

Lot: 13, Block 1, Playa De Oro Replat A, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 50, Page 19, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Aurora Loan Services, Inc., 601 Fifth Avenue, Scottsbluff, Nebraska 69361, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request for the following names to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Buenning, Rosy – Secretary III
- B. Sandoval, Jessica – Library Information Specialist II
- C. Tovar, Francisco J. – Automated Refuse Collection Operator

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Clerk Typist III (1)

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to re-appoint Ricardo Diaz to the Public Utility Regulation Board by Representative John F. Cook.

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete the board re-appointment of Bea Sada to the Community Development Steering Committee by Representative Jose A. Lozano.

.....
*Motion made Representative Cook, seconded by Representative Austin and unanimously carried to appoint Shirley J. Phillips to the Retired and Senior Volunteer Program Advisory Council by Representative Jose Alexandro Lozano.

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to appoint Patricia Ann Monardes to the Commission on Border Relations by Mayor Pro Tempore Anthony W. Cobos.

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve installation, power, and maintenance of residential street lights at the following locations:

- | | |
|---|---------------|
| A. Between 5669 and 5665 Oak Cliff Dr. | Cost: \$1,200 |
| B. Between 7261 and 7265 Luz De Color Ct. | Cost: \$1,500 |
| C. Between 7620 and 7616 Dianjou Dr. | Cost: \$1,500 |
| D. Between 320 and 324 Ronquillo Lane | Cost: \$1,600 |

.....
*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request authorizing to allocate \$500.00 from District #8 discretionary funds to purchase 500 tickets to be used by children participating in the Armijo and Chihuahuita Club Rec Program.

Department: Municipal Court

Duncan Parking Technologies, Inc. is the sole source manufacturer and provider of the City of El Paso's parking meter mechanisms, parking meter housings, parking meter parts and accessories. All sales of Duncan Parking Technologies, Inc. parking systems are made directly from the company to the end user. Sales are not made to distributors for resale to the end user.

These parking meter mechanisms, parking meter housings, parking meter parts and accessories will be used to repair existing meters and install additional parking meters as necessary.

Funds for this expenditure shall be made available in the following account:

Department: Street Department
Funds Available: Various
Funding Source: Various
Amount: \$50,000.00 (annual estimate)

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

Request that the Director of Purchasing be authorized to exercise the City's Option "B" to purchase additional quantities pursuant to the terms of Contract No. 2004-034C for Automated Side Load Refuse Trucks with Rush Truck Center – El Paso

Department: Solid Waste Management
 Funds available: 34340200-508006-40415
 Funding source: FY2004 Solid Waste Management Revenue Bonds
 Item: 1 – Side Load Refuse Trucks (1 Each) with Options O3 and O8
 Award Amount: \$152,428.00

*Motion made Representative Cook, seconded by Representative Austin and unanimously carried that the Director of Purchasing be authorized to exercise the City's Option "B" to purchase additional quantities pursuant to the terms of Contract No. 2004-034C for Automated Side Load Refuse Trucks with Rush Truck Center – El Paso.

Department: Solid Waste Management
 Funds available: 34340200-508006-40415
 Funding source: FY2004 Solid Waste Management Revenue Bonds
 Item: 1 – Side Load Refuse Trucks (1 Each) with Options O3 and O8
 Award Amount: \$152,428.00

Mr. Ray Gilbert, citizen, commented on the Certificate of Obligation fund balances and requested that unallocated Certificate of Obligation monies be utilized to purchase the above equipment and not Revenue Bond monies.

Motion made by Representative Austin, seconded by Representative Power to move the item to the forefront.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to award Bid No. 2004-009R Theatre Operations Manager for the Plaza Theatre Performing Arts Centre

Award to: SMG
Philadelphia, PA
Amount: No Management Fee

The Evaluation Committee and the Plaza Theatre Core Group, based on evaluation factors established for this RFP, recommend award of this RFP to SMG. The Committee and Core Group recommend Option 2 in which the Plaza Theatre is operated by SMG as part of its current operation at the El Paso Convention Center Complex. There will be no additional fees to the City with this option.

It is requested authorization that the Mayor be authorized to execute any related contract documents, amendments, and agreements as necessary to effect this.

It is also requested that the Mayor and Staff be authorized to execute budget transfers for this award, as necessary during the contract period.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, explained that a review committee and core committee for the Plaza Theatre had reviewed and unanimously approved the SMG proposal. He recommended that the Council approve the option whereby there would be no additional fees for the management of the Plaza Theatre. He explained that SMG would be utilizing existing staff and dollars and added that as part of their ongoing budget, SMG would bring in a Theatre Manager. He explained that SMG would coordinate activities between the Abraham Chavez Theatre and the Plaza Theatre, emphasizing the Plaza Theatre and all future performances, upon its opening.

Representative Cook asked Mr. Byron Johnson, Director of Purchasing, to clarify the bid solicitations sent out by the Purchasing Department and expressed that it appeared the City was soliciting primarily theatres operators instead of companies.

Mr. Johnson responded companies not having a "presence" and investment in the area would have difficulty setting up the Plaza Theatre operations.

Ms. Lisa Turner, citizen, expressed her concerns whereby SMG would take on additional responsibilities without additional compensation.

Mr. Chapman explained the two components of the fee for the management of the Convention and Visitors Bureau as the base fee and performance measurements. He requested the Council amend the existing contract whereby SMG would receive a fee for running the whole operation but amend the performance measures to include the Plaza Theatre operations.

Representative Austin noted that backup information included SMG operating the Plaza Theatre in lieu of the Abraham Chavez Theatre, swapping the Plaza Theatre for the Abraham Chavez.

Representative Power asked Mr. Chapman what SMG's performance measures were currently.

Mr. Chapman read SMG's performance measures into the record and added that a modified contract would come before the Council sometime in the near future.

Mr. Ray Gilbert, citizen, questioned what happened to Clear Channel's proposal and their guaranteeing the business for the Plaza Theatre due to their "owning the shows". He requested that other entities compete with SMG and that the Plaza Theatre should be separate from the Convention and Visitors Bureau.

Representative Austin explained that the City's money was secondary to the Community Foundation's money and added that an Agreement had been established between the City and the Community Foundation.

Representative Power stated that performance guarantees in the bid process possibly dissuaded Clear Channel from responding.

Representative Lozano stated that no one company could afford to run the Plaza Theatre at a profit and that the City would have to subsidize the Plaza Theatre.

Mr. Johnson responded to Representative Power and Mr. Gilbert's comments and clarified that the proposal language stated companies must have experience in running historic theatres and be experienced in start-up operations for renovated theatres. This language limited the number of companies able to respond.

Mr. Chapman explained that the Clear Channel proposal, for the first several years was cash out-flow, not a positive cash in-flow to the City. He added that the City may have to subsidize the Plaza Theatre, once it opens, from hotel/motel or general operating funds.

Mr. Bill Blaziek, El Paso Convention and Performance Arts Theatres, responded to previous comments regarding competition with Clear Channel and others. He commented on SMG's performance records regarding the Abraham Chavez and the newly expanded Convention Center. He explained that Clear Channel was a partner of SMG's, media partner, and one of the largest theatrical production companies in the nation. He noted that SMG managed 170 venues, 60 of which are arenas/stadiums, 33 are similar to the Plaza Theatres. He made remarks regarding proposed events for the Plaza to include Disney, comedic, Broadway and added that SMG would seek venues so that the Plaza Theatre would have on-going performances. He concluded by stating that SMG shares the vision of the community of El Paso and would ensure that SMG realize, maintain and grow that vision while preserving the Plaza Theatre. He answered questions from and responded to comments made by the Council Members.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the above bid award.

Mr. Gilbert questioned who would pay the "pre-expenses", as laid out in the Clear Channel proposal, and questioned why the partnership between Clear Channel and SMG was not previously made clear.

Representative Lozano questioned Mr. Blaziek regarding the use of Plaza Theatre as a movie theatre.

Representative Power questioned Mr. Blaziek's regarding SMG's relationship with Clear Channel.

Mr. David Rout, citizen, expressed his concern whereby SMG would charge non-profit groups to utilize the Plaza. He explained that he had lobbied for an unpaid Citizens Review Committee to ensure that the Plaza Theatre was serving the needs of the community, i.e., local arts groups, high school graduation ceremonies, etc. He strongly advised the Council to initialize and have a Citizens Review Committee to work with the SMG to meet the needs of the community, particularly non-profit agencies, and/or postpone the RFP award for six months to allow the organization of a non-profit Citizens Review Committee.

Mr. Blaziek responded to the comments made by Mr. Rout and noted that a Children's Theatre was to be constructed on the second level of the Plaza Theatre.

Representative Lozano noted that the Abraham Chavez Theatre would be available for non-profit community groups.

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*Motion made Representative Cook, seconded by Representative Austin and unanimously carried to award Bid No. 2004-191 Cooling System Parts

Award to: Main Auto Parts
El Paso, Texas
Item (s): #1, & #2 (all)
Amount: \$15,000.00 (estimated annually)

Department: Fleet Services
Funds available: 37370510-503121-45202
Funding source: Fleet Service Internal Service fund
Total award: \$45,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 20 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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*Motion made Representative Cook, seconded by Representative Austin and unanimously carried to award Bid No. 2004-192 Auto Parts-Ignition Components

Award to: Main Auto Parts
El Paso, Texas
Item (s): #1, #2, #3, & #4 (all)
Amount: \$20,000.00 (estimated annually)

Department: Fleet Services
Funds available: 37370510-503-45202
Funding source: Fleet Service Internal Service Fund
Total award: \$60,000.00 (estimated)

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 20 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-842 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$320,000 to fund a TX Dot change order for the Airway project. Funding source is 2003 COs.

| | | | | |
|----------|-----------|----|---------------------------------|--------------|
| Increase | \$320,000 | to | 31260001/PPWST0303360635/407020 | Bond Proc |
| Increase | \$320,000 | to | 31260001/PPWST0303360635/508027 | Construction |

.....

*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-909 HEALTH

This budget transfer is to align the budget to TDH grant TDH Document No. 7460007499 2004 Contract Change Notice No. 18, which added \$10,922 from the Direct Assistance to the Financial Assistance to pay the Lab Director under contract for the Health District. This budget transfer will also transfer appropriations to accommodate the programs using this grant.

| | | | | |
|----------|----------|------|------------------------------|-------------|
| Increase | \$10,922 | to | 41150022/G41041106078/406001 | State Grant |
| Increase | \$10,922 | to | 41150022/G41041106078/502215 | Contractual |
| Decrease | \$ 1,797 | from | 41150022/G41041106078/501000 | NUnfWag |
| Increase | \$ 1,797 | to | 41150022/G41041106078/502215 | Contractual |
| Decrease | \$ 2,153 | from | 41150022/G41041106078/501000 | NUnfWag |
| Increase | \$ 2,153 | to | 41150022/G41041106078/501011 | PTTemp |
| Decrease | \$ 495 | from | 41150022/G41041106078/504201 | Travel |
| Increase | \$ 495 | to | 41150022/G41041106078/502302 | Printshop |
| Decrease | \$ 2,000 | from | 41150022/G41041106078/504201 | Travel |
| Increase | \$ 2,000 | to | 41150022/G41041106078/503100 | OfficeSup |

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-917 AIRPORT

Transfer of funds to cover acquisition of a TM-5150 Twin Agent Extinguishing unit for the ARFF Section. There will be a trade-in of two vehicles that will reduce the amount needed.

| | | | | |
|----------|----------|----|------------------------------|-------------|
| Increase | \$45,400 | to | 62620020/P50000441022/508006 | Vehicles |
| Increase | \$45,400 | to | 62620020/P50000441022/407062 | TrfInfromAP |
| Increase | \$45,400 | to | 62620018/P50000241021/407002 | EstRevenue |
| Increase | \$45,400 | to | 62620018/P50000241021/507006 | TrftoCapPrj |

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request of El Paso Police Department's D.A.R.E. Program to hold a 10K Run / 5K Walk event on November 20, 2004 from 8:00am to 12:00pm. Route: Starting at 4190 N. Mesa then heading south and turning left on Brentwood, turning right on Stanton, turning left on Kerbey, turning left on Rim, turning left on Scenic, turning left on Robinson, turning right on Stanton, Brentwood, ending at 4176 N. Mesa. Approximately 300 persons will participate with 150 spectators anticipated. PERMIT NO. 04-060 [Paul E. Pacillas]

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request of Jonathan Twigg to block off Kelly Way between McKellington Drive and Galloway on September 4, 2004 from 5:00 p.m. to 11:59 p.m. for a wedding block party. Approximately 100 persons will participate with 100 spectators anticipated. Barricades must be manned according to the State's Manual of Uniform Traffic Devices. This request includes permission to use amplification (2 microphones, 1 amplifier, 4 speakers, 98 decibels). PERMIT NO. 04-061 [Jonathan Twigg]

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request of KHRO FM 94.7 (Hero Radio) to use amplification (8 microphones, 2 stacks, 110 decibels) at 300 block of Ochoa between 1st and Paisano on July 24, 2004 from 4:00pm to 10:00 p.m. for a street festival. Approximately 100 persons will participate with 5000 spectators anticipated. PERMIT NO. 04-062 [Marina Monsisvais]

*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the request of Ministerios Manantiales de Vida to use amplification (2 speakers, 4 monitors, 4 microphones, and 1 amplifier-400 watts) at Nations Tobin Park-8831 Railroad Drive on July 15, 2004 from 6:00 p.m. to 10:00 p.m. for a basketball tournament. Approximately 7 persons will take part and 50-70 spectators are anticipated. PERMIT NO. 04-063 [Joshua Graber]

.....
Motion made Representative Cushing, seconded by Representative Lozano and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance granting a Special Privilege to Marina Monsisvais to temporarily close a portion of Ochoa Street between First Avenue and Paisano Drive for a "Red Ball" celebration street festival on Saturday, July 24, 2004 and Sunday, July 25, 2004 (Consideration \$137.50, SP-04013)
- B. An Ordinance amending Title 2 (Administration and Personnel) to amend Chapter 100 (Also known as ordinance number 15404) which created the City of El Paso Water Conservation Advisory Board by Amending 2.100.070 (Duties).

PUBLIC HEARING WILL BE HELD ON JULY 20, 2004 FOR ITEMS A – B

- C. An Ordinance changing the zoning of a Portion of Tract 1, Section 44, Block 79, Township 2, T & PRRC Surveys, El Paso, El Paso County, Texas (Northwest of the intersection of Pebble Hills and Loop 375) from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00067. Applicant: River Oaks Properties / Representative: SLI Engineering, Inc., 6600 Westwind, El Paso, TX 79912 **THIS IS AN APPEAL CASE**

PUBLIC HEARING WILL BE HELD ON JULY 27, 2004 FOR ITEM C

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City Council Meeting of July 13, 2004 an introduction to an Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 20, Lay-Off, Job rights, Reinstatement, to amend the Lay-Off and Reinstatement Procedures.

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Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to approve budget transfer BT2004-864 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$1,509,600 to the Traffic Light Synchronization project to fund TxDOT payments for Traffic Light Synchronization, Phase 3, 4, & 5. Funding source is 1997 GOs and 2003 COs.

| | | | | |
|----------|--------------|------|---------------------------------|---------------|
| Decrease | \$177,282.93 | from | 31115201/PPW001926185/508016 | ContArc&Dsg |
| Decrease | \$542,695.68 | from | 31115201/PPW001926185/508027 | Construction |
| Increase | \$719,978.61 | to | 31115201/PPW001926185/507006 | TrftoCapPrj |
| Increase | \$719,978.61 | to | 31115201/PPW003500526187/407050 | TrffromCapPrj |
| Increase | \$719,978.61 | to | 31115201/PPW003500526187/508027 | Construction |
| Decrease | \$789,621.39 | from | 31260001/PPWST0302160632/508030 | Brdg/OvpsStr |
| Increase | \$789,621.39 | to | 31260001/PPWST0302160632/507006 | TrftoCapPrj |

| | | | | |
|----------|--------------|----|---------------------------------|---------------|
| Increase | \$789,621.39 | to | 31260001/PPW003500560661/407050 | TrffromCapPrj |
| Increase | \$789,621.39 | to | 31260001/PPW003500560661/508027 | Construction |

.....
 Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve budget transfer BT2004-925 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,517,118 to establish a parks contingency project from the remaining 2000 Quality of Life Parks contingency funds. The funding source is 2000 QOL bonds. These contingency funds had not previously been appropriated to a project.

| | | | | |
|----------|-------------|----|-------------------------------|-------------|
| Increase | \$1,517,118 | to | 31130500/PQLPA17760176/504405 | OperConting |
| Increase | \$1,517,118 | to | 31130500/PQLPA17760176/407020 | Bond Proc |

Representative Cook and Deputy Mayor Pro Tem Escobar asked questions of Ms. Patricia Adauto, Deputy Director of Building and Planning Services.

Ms. Adauto explained that the budget transfer was to appropriate the full amount of remaining Parks Contingency funds for the 2000 Quality of Life Bond program. She commented on the 2000 Quality of Life contingency rules approved by the Council.

.....
RESOLUTION

Whereas, Carlos M. Ramirez was born in El Paso; and

Whereas, Carlos M. Ramirez earned both undergraduate and graduate civil engineering degrees from the University of Texas at El Paso, obtained his professional engineer certification, was President of the El Paso Chapter of the American Society of Civil Engineers and was elected to the Tau Beta Pi National Honorary Engineering Society and the Chi Epsilon National Honorary Civil Engineering Society, and

Whereas, Carlos M. Ramirez was the 47th Mayor of the City of El Paso, serving from 1997 to 2001; and

Whereas, the City of El Paso through its water utility (EPWU) plans to build the world's largest inland desalination plant on leased Army property at Fort Bliss Texas; and

Whereas, the project to build the inland desalination plant was incubated during Carlos M. Ramirez' tenure as Mayor of El Paso; and

Whereas, at a capital cost of \$67 million, the plant will produce 27.5 million gallons a day of potable water by blending desalinated water with additional brackish water; and

Whereas, desalination will allow El Paso and Fort Bliss to hold fresh water wells in reserve for drought protection and emergencies, and

Whereas, in 2001, Carlos M. Ramirez was appointed Commissioner of the U.S. Section of the International Boundary and Water Commission, United States and Mexico (IBWC), by the President of the United States of America,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor and Council of the City of El Paso recommend to the Public Service Board of the El Paso Water Utilities that the new desalination plant should be named in honor of Carlos M. Ramirez.

Representative Cook commented on the efforts of previous City Councils and the lack of recognition those Councils receive from their successors.

Former Mayor Pro Tempore Presi Ortega made remarks regarding the progress of 2000 Quality of Life bond projects passed by the voters during the time he served in office. He read the resolution into the record.

Representative Cushing explained that the proposed Resolution had not yet been approved by the El Paso Water Utilities Public Service Board and Fort Bliss, but would be presented to them for their consideration.

Mr. Ruben Guerra, Public Service Board, explained that the desalination plant would be located on federal property; however, he would be pleased to present the proposed Resolution to Fort Bliss for their consideration.

Ms. Kenna Ramirez, wife of former Mayor Carlos Ramirez, read from a prepared statement regarding Mayor Ramirez's passion for water, his appointment to the IBWC, educating the community's youth, economic development for the City, and his notable relationships with President George W. Bush and Mexican President Vicente Fox. She thanked Representative Cook and former City Representatives Larry Medina and Presi Ortega for recognizing her husband. She also thanked her "angel friends" for their support. Ms. Ramirez spoke of the desperate need for more medical research on frontal temporal dementia and she shared her despair over the devastating effects of her husband's disease on his personality.

Deputy Mayor Pro Tem Paul Escobar expressed his thanks to Representative Cook, former Mayor Pro Tem Presi Ortega and former Representative Larry Medina for their assistance in bringing the proposed Resolution to the Council and hoped that the PSB and Fort Bliss would consider passing the Resolution honoring the former Mayor.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to move project Number 20, new traffic signal and pedestrian crossing on Paisano Drive and Barcelona, on the priority list for the Citywide Signal and Flasher Installation to project Number 10 and shift all other projects accordingly.

Representative Lozano stated his intent was to instruct City staff to transfer \$76,887 from the Cuba/Hunter traffic signal project to the Paisano/Barcelona traffic signal project, under the Capital Improvement Bond project, and to move the item to the forefront as priority number 1. He also stated that he would like the remaining balance of the 2004 Citywide Bond projects, \$22,357, to be added to the \$76,887 amount. He noted that the project was \$10,756.00 short of the \$110,000 total cost and that he would be requesting additional monies from El Paso Independent School District, TxDOT, and other entities; however, also requested that Council Members financially support his endeavor. He added that in the event he did not receive that financial support, he would use his discretionary funds.

Ms. Adatao explained the monies allocated for traffic signals under the 2004 Capital Improvement Bond projects. She noted that Districts 7 and 8 had monies available and reiterated that the balance for traffic signal under the 2004 Bond projects was only \$22,000.00. She added that she would speak with the Mass Transit Department and Representative Cobos for possible additional monies.

Representative Cushing commented on moving traffic signal projects within the 2004 bond projects and the monies that would be made available upon the movement of those projects. He questioned utilizing TxDOT

monies to fund traffic signals, especially when an individual had died at a location in a traffic accident. He also suggested that Ms. Adauto speak with the El Paso Housing Authority for possible additional funding.

Representative Rojas asked Ms. Adauto regarding the number of completed traffic signal projects and noted that the traffic signal at Zaragoza/Geranium was located on the boundary of Districts 6 and 7. She questioned why that traffic signal was listed in District 7.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, provided funding information. He noted that both he and Ms. Adauto could contact the El Paso Independent School District for additional funding.

Representative Austin asked Ms. Adauto and Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, about funds and the time necessary to design the traffic signal/pedestrian crossing at Paisano/Barcelona.

Mr. Marquez explained that the traffic signal was currently under design and noted that \$110,000 was funding for the construction of that signal. He provided additional explanation regarding the area affected by the installation of the traffic signal. He answered questions from and responded to comments made by the Council Members.

Ms. Adauto explained that the renumbering of the Paisano/Barcelona project would require Council action.

Representative Power offered to Representative Lozano a resolution mandating the \$22,000 for this project and requesting that the EPISD provide the matching funds.

Representative Cushing moved to move project number 20 on the priority list to make it project number 10 and shift other projects down accordingly. Representative Lozano seconded.

Representative Rojas asked Ms. Adauto questions regarding the moving of projects prior to Council approval and the manner in which the traffic signal/flasher list was compiled.

Mr. Jim Martinez, Chief Administrative Officer, provided additional information regarding the compilation of the list of traffic signals/flashers.

Mr. Trini Munoz, field organizer, El Paso Association of Community Organizations for Reform Now (ACORN), explained that 150 families had rallied their support for the Gallegos family whose son had passed away at the named intersection. He read into the record a letter written by a constituent of Representative Lozano's (on file in the City Clerk's office) and encouraged the Council to support the matter.

Mr. Roberto Gallegos, father of Roberto Gallegos who died in a traffic accident, thanked the Council for the traffic light installation. Mr. Roberto Gallegos, Jr. had died in a traffic accident at that site.

Ms. Richarda Duffy Momsen, City Clerk, read the following motion into the record: to move project Number 20, new traffic signal and pedestrian crossing on Paisano Drive and Barcelona, on the priority list for the Citywide Signal and Flasher Installation to project Number 10 and shift all other projects accordingly.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete the discussion and action on the Staff Report on Capital Improvements Program budgeting, reconciliation of general obligation bonds and certificates of obligation bonds fund balances, and recommended use of unallocated fund balances to pay contractually obligated capital projects.
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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete the discussion and action on use of general obligation bonds and certificates of obligation bonds

unallocated fund balances to pay contractually obligated capital projects as recommended by the Building & Planning Services Department.

.....
No action was taken on the Staff Report on direction received from the Office of the Mayor to proceed with necessary budget action items to use Certificate of Obligation Bonds and General Obligation Bonds unallocated fund balances to satisfy contractually-obligated and pre-committed matching fund and change order payments to the Texas Department of Transportation on approved capital projects.

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, gave a Powerpoint presentation (on file in the City Clerk's office) and elaborated on the past, present and future funding, scheduling, prioritizing, and rating mechanisms for Capital Improvement Projects ("CIP") and Quality of Life ("QOL") projects. She answered questions from and responded to comments made by the Council Members.

Mr. Jim Martinez, Chief Administrative Officer, explained that the City continues to fund projects with Certificates of Obligation ("COs"), some projects from the 1980's, and added that outside agencies, such as TxDOT and others, controlled those project schedule.

Representative Lozano requested a list of outstanding City projects.

Deputy Mayor Pro Tem Escobar questioned whether or not those outside agencies would find other funding sources if the City declined the utilization of its funds.

Ms. Adatao clarified the City's use of matching funds and contractual obligations; however, she added that the City must follow the outside agency's (TxDOT, FEMA, Army Corp of Engineers and others) project schedules. She explained that negative cash balances were due to project change orders, late invoicing, lack of project continuity, and reprogramming of unallocated fund balance.

Representative Austin asked Ms. Adatao to clarify the number of 2004 Quality of Life and Capital Improvement Bond projects.

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Motion made by Representative Austin, seconded by Representative Cushing and carried to set the process and calendar for reviewing and prioritizing capital projects and to reaffirm the criterion to be used for recommending priority ranking for capital project submittals as recommended by the Building & Planning Services Department.

Ms. Patricia Adatao, Deputy CAO for Building and Planning Services, discussed the 10-year CIP program, estimates of those projects, and funding of those projects. She requested that the Council Members set a calendar establishing which projects should be listed on the Capital Improvement project list, long term project list and those that should not be on the list at all. She explained that a well-established Capital Improvement Project ("CIP") list would minimize future City Council administrations from changing/revising that list. She answered questions from and responded to comments made by the Council Members.

Representative Power commented on replacing old debt with new debt and questioned what that dollar amount might be.

Ms. Adatao responded \$100 to \$150 million and explained that the agenda items requested the Council approve the proposed calendar for the development of the capital budget, reaffirm the eight project programs: Fire, Flood Control, Health, International Bridges, Municipal Facilities, Police, Quality of Life, Street & Drainage and approve the weighted rating system used for prioritizing Capital Improvement Program projects as listed in the Powerpoint presentation.

Representative Rojas asked Ms. Adatao whether other projects could be included.

Ms. Adatao explained it was too late in the process for additional projects.

Representative Austin asked Ms. Adauto to explain the weighted rating system and asked that staff recommendations be included to assist the Representatives in compiling their project list.

Ms. Richarda Momsen, City Clerk, read the motion as prepared by the City Attorney's office, into the record.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City Council Meeting of July 13, 2004 the discussion and action regarding the City's Options Pursuant to the Franchise with El Paso Electric Company.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City Council Meeting of July 13, 2004 the Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone eight (8) weeks a Public hearing to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26th, 2003. The owner of this property, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

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Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to delete a Public hearing to determine if the property located at 7202-7204 North Loop Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated December 8th, 2003. The owner of this property, Gonzalo Gonzalez, Owner, 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, Owner, 7221 North Loop Drive, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Mr. Thomas Maguire, Building Permits and Inspections, explained that the physical address and legal description of the property were not the same and requested that the item be deleted. He stated that if the property owner takes no action, the matter would appear on a future City Council agenda. He requested that the item be deleted and answered questions of and responded to comments made by the Council Members.

Representative Rojas noted that she would place the issue on a future Central Appraisal District meeting agenda.

Representative Lozano stated that individuals continue to utilize properties across from 7202-7204 North Loop as a dumping site. He requested that the property owners be notified to place fencing around their properties and that appropriate City department remove the illegal dumping.

Deputy Mayor Pro Tem Escobar commented on the acquisition of right-of-way for the North Loop expansion project by TxDOT.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone two (2) weeks a Public hearing to determine if the property located at 11661 Norman Montion Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 25th, 2004. The owner of record as of March 23rd, 2004, Ida M. Poole, 11661 Norman Montion Drive, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$9,495.60.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City Council Meeting of July 13, 2004 an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.180 (No Stopping or Standing- Tow - Away Zone), Subsection (A) of The El Paso Municipal Code, by amending a location on Missouri Avenue. The penalty being as provided in Section 12.88.180 of The El Paso Municipal Code.

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ORDINANCE 15829

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO ADD SUBSECTIONS IDENTIFYING THE SPEED LIMIT AS THIRTY-FIVE MILES PER HOUR ON JON CUNNINGHAM BOULEVARD AND MARCUS URIBE DRIVE. THE PENALTY IS AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Cook revised the Ordinance caption to delete the language "a portion of Loma Del Norte Drive".

Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, recommended that the speed limit signs be posted "thirty-five miles per hour".

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cook, seconded by Representative Escobar, that the Ordinance be adopted, *as revised*. Whereupon the Deputy Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, and Rojas

NAYS: None Absent: Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City County Meeting of July 13, 2004 an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.150 (Schedule XIV, Speed Limits), of The El Paso Municipal Code, to temporarily reduce the existing speed limit of 60 M.P.H. to 50 M.P.H. on U. S. 54 between Hondo Pass Drive and Yandell Drive for the duration of the U. S. 54 construction project. The penalty being as provided in Section 12.84.010 of The El Paso Municipal Code.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone until the Regular City County Meeting of July 13, 2004 an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.030 (Schedule III-Parking Prohibited At All Times On Certain Streets) to add a new location on Heisig Avenue between Main Street and Prospect Street, North side only. The penalty being as provided in Section 12.84.010 of The El Paso Municipal Code.

*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow - Away Zone), Subsection (A) of The Municipal Code, by adding new locations on Dodge Road, Redd Road and Resler Drive. The penalty being as provided in Section 12.88.180 of The El Paso Municipal Code.

*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times on Certain Streets) to delete an existing location on the North side of Redd Road from Resler Drive to a point 150 feet East thereof. The penalty being as provided in Section 12.84.010 of The El Paso Municipal Code.

ORDINANCE 15830

Representative Cushing requested explanation regarding the section renumbering.

Representative Power asked what the impact and motivation of the section renumbering was.

The City Clerk called for any further public comment. There was no further public comment.

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, and Rojas
NAYS: None Absent: Council Member Cobos

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete an Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 20, Lay-Off, Job Rights, Reinstatement, to amend the Lay-Off and Reinstatement Procedures.

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete an Ordinance changing the zoning of Lot 24, save and except a strip of land 1.5 Feet by 65 Feet out of the Northeasterly portion of said Lot and all of Lots 25 and 26, Block 50, Government Hill Addition, El Paso, El Paso County, Texas (4114-4116 Bliss Avenue) from R-4 (Residential) to A-2 (Apartment). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZON04-00046. Applicant: William Martin Leff / Representative: J.R. Rubalcava, Sr., 3118 Montana, El Paso, TX 79903 **THIS IS AN APPEAL CASE.**

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*Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to postpone four (4) weeks an Ordinance changing the zoning of a portion of Tract 225, Sunrise Acres No. Two, El Paso, El Paso County, Texas (4650 Vulcan Drive) from R-4 (Residential) to A-M (Apartment-Mobile Home Park). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Martha P. Yee / Representative: Luis De La Cruz, 9013 Lait Drive, El Paso, TX 79925. ZON04-00045

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Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to adjourn this meeting at 12:53 p.m.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk